

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

JAMES WILSON, et al)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 05-399-JJF
)	
STANLEY TAYLOR, et al.)	
)	JURY TRIAL REQUESTED
)	
)	
Defendants.)	

DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

COMES NOW, Defendants Commissioner Stan Taylor, Rick Kearney, and Mike Deloy ("Defendants"), by and through their undersigned counsel, and hereby move this Honorable Court (the "Motion") hereby moves this Honorable Court to enter an Order granting their Motion for Summary Judgment and dismissing with prejudice all claims against them pursuant to Rule 56(c). In support of the Motion, Defendants have filed simultaneously herewith Defendants' Opening Brief In Support Of The Motion for Summary Judgment.

WHEREFORE, Defendants respectfully request that this Honorable Court enter an order, substantially in the form attached hereto, dismissing the claims against them with prejudice.

**DEPARTMENT OF JUSTICE
STATE OF DELAWARE**

/s/ Stacey Xarhoulakos

Stacey Xarhoulakos (#4667)

Deputy Attorney General

820 N. French Street, 6th Floor

Wilmington, DE 19801

(302) 577-8400

Dated: July 20, 2007

Attorney for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on July 20, 2007, I electronically filed *Defendants' Motion for Summary Judgment* with the Clerk of Court using CM/ECF. I hereby certify that on July 20, 2007, I have mailed by United States Postal Service, the document to the following non-registered parties:

James Johnson, Inmate
SBI # 155123
Sussex Correctional Institution
Post Office Box 500
Georgetown, DE 19947

Roderick Brown, Inmate
SBI # 315954
Sussex Correctional Institution
Post Office Box 500
Georgetown, DE 19947

Jerome Green, Inmate
SBI # 147772
Sussex Correctional Institution
Post Office Box 500
Georgetown, DE 19947

Jose Serpa, Inmate
SBI # 350322
Sussex Correctional Institution
Post Office Box 500
Georgetown, DE 19947

Anthony Morris, Inmate
SBI # 300363
Sussex Correctional Institution
Post Office Box 500
Georgetown, DE 19947

James A. Wilson
SBI #163663
DCC
1181 Paddock Road
Smyrna, DE 19977

/s/ Stacey Xarhoulakos
Stacey Xarhoulakos, I.D. No. 4667
Deputy Attorney General
Carvel State Office Building
820 North French Street, 6th Floor
Wilmington, DE 19801
(302) 577-8400
stacey.xarhoulakos@state.de.us
Attorney for Defendants